

**REMARKS**

Claims 1-28 remain pending in the application.

**Claims 1, 2, 8, 11 and 12 over Bar**

In the Office Action, claims 1, 2, 8, 11 and 12 were rejected under 35 U.S.C. §102(e) as allegedly being anticipated by U.S. Patent No. 6,456,852 to Bar et al. ("Bar"). The Applicants respectfully traverse the rejection.

Claims 1, 2, 8, 11 and 12 recite a system relying on a database relating to individual wireless device subscribers, the database to store **historical mobile activity data associated with an individual wireless device subscriber**.

Bar appears to disclose a system for distributing real time location information of cellular telephones to various third party information subscribers comprising an HTTP server (Abstract). However, Bar fails to disclose or suggest storing any type of historical data associated with a wireless subscriber, much less **historical mobile activity data associated with an individual wireless device subscriber**, as recited by claims 1, 2, 8, 11 and 12.

A benefit of a system relying on a database relating to individual wireless device subscribers, the database to store **historical mobile activity data associated with an individual wireless device subscriber** is, e.g., more accurate information to base directed advertising on. Mobile activity can be used for a variety of things, such as directed advertising. However, a wireless user's activity taken out of context may not be beneficial to an advertiser, such as visiting a location only once maybe as a favor for another person. Historical activity data, such as if a particular wireless subscriber visits a particular location on a regular basis, is much more beneficial to an advertiser to direct advertising to a wireless subscriber. The cited prior art fails to disclose or suggest the claimed features having such benefits.

Accordingly, for at least all the above reasons, claims 1, 2, 8, 11 and 12 are patentable over the prior art of record. It is therefore respectfully requested that the rejection be withdrawn.

**Claims 3, 4, 9 and 10 over Bar in view of Gossman**

In the Office Action, claims 3, 4, 9 and 10 were rejected under 35 U.S.C. §102(e) as allegedly being anticipated by Bar in view of U.S. Patent No. 6,181,935 to Gossman et al. ("Gossman"). The Applicants respectfully traverse the rejection.

Claims 3, 4, 9 and 10 recite a system relying on a database relating to individual wireless device subscribers, the database to store **historical mobile activity data associated with an individual wireless device subscriber**.

As discussed above, Bar fails to disclose or suggest a system relying on a database relating to individual wireless device subscribers, the database to store **historical mobile activity data associated with an individual wireless device subscriber**, as recited by claims 3, 4, 9 and 10.

Gossman is directed to a system and method of translating between different protocols to transmit customized services to a wireless network (Abstract). Location information is obtained from subscriber profiles in a Home Location Register (See Gossman, col. 10, lines 14-21). Thus, the deficiency within Gossman is reliance on a HLR that **lacks** any type of **historical activity data**, as recited by claims 3, 4, 9 and 10.

Thus, Bar in view of Gossman, even if it were an obvious combination which it is not since they are directed toward completely different problems within their respective arts, fails to disclose or suggest. However, Gossman fails to disclose or suggest storage of **historical mobile activity data associated with an individual wireless device subscriber**, much less a system relying on a database relating to individual wireless device subscribers, the database to store **historical mobile activity data associated with an individual wireless device subscriber**, as recited by claims 3, 4, 9 and 10.

Thus, even if it were obvious to modify Bar with the disclosure of Gossman (which it is not since the two references are directed toward completely different problems within the art), the theoretical result would STILL obtain location information **from a HLR** that **lacks** historical data, **NOT** disclosing or suggesting storage of **historical mobile activity data associated with an**

individual wireless device subscriber, much less a system relying on a database relating to individual wireless device subscribers, the database to store **historical** mobile activity data associated with an individual wireless device subscriber, as recited by claims 3, 4, 9 and 10.

Accordingly, for at least all the above reasons, claims 3, 4, 9 and 10 are patentable over the prior art of record. It is therefore respectfully requested that the rejection be withdrawn.

**Claims 5, 6, 13-15, 18-21 and 24-27 over Bar in view of Berggren**

In the Office Action, claims 5, 6, 13-15, 18-21 and 24-27 were rejected under 35 U.S.C. §103(a) as allegedly being obvious over Bar in view of U.S. Patent No. 6,073,015 to Berggren et al. ("Berggren"). The Applicants respectfully traverse the rejection.

Claims 5 and 6 recite a system relying on a database relating to individual wireless device subscribers, the database to store **historical** mobile activity data associated with an individual wireless device subscriber.

As discussed above, Bar fails to disclose or suggest a system relying on a database relating to individual wireless device subscribers, the database to store **historical** mobile activity data associated with an individual wireless device subscriber, as recited by claims 5 and 6.

The Examiner alleges Berggren to disclose data entered into a location database that is previously forwarded by a Home Location Register (See Office Action, page 5). Thus, Berggren, like Gossman, relies on a HLR that **lacks** historical activity data to obtain location information.

Thus, even if it were obvious to modify Bar with the disclosure of Berggren (which it is not since the two references are directed toward completely different problems within the art), the theoretical result would STILL obtain location information from a HLR that **lacks** historical activity data, **NOT** relying on a system relying on a database relating to individual wireless device subscribers, the database to store **historical** mobile activity data associated with an individual wireless device subscriber, as recited bngy claims 5 and 6.

Claims 13-15, 18-21 and 24-27 recite detecting a registration notification message at a mobile activity status tracker distinct from a Home Location Register and transmitting at least one of presence and location information relating to a wireless system subscriber from the mobile activity status tracker.

As discussed above, Bar relies on various techniques of determining location that are based on propagation of a telephone signal through a cellular network. Bar fails to disclose or suggest basing at least one of presence and location of a wireless system subscriber on a registration notification message, i.e., detecting a registration notification message at a mobile activity status tracker distinct from a Home Location Register and transmitting at least one of presence and location information relating to a wireless system subscriber from the mobile activity status tracker, recited by claims 13-15, 18-21 and 24-27.

Berggren discloses a modification of a conventional system of transmitting a registration notification message from a roamed network to a HLR (See Abstract). Thus, Berggren discloses a registration notification message stored in a HLR that is used to route calls to roamed networks, NOT disclosing or suggesting use of the registration notification message to convey at least one of presence and location information, much less detecting a registration notification message at a mobile activity status tracker distinct from a Home Location Register and transmitting at least one of presence and location information relating to a wireless system subscriber from the mobile activity status tracker, as recited by claims 13-15, 18-21 and 24-27.

Thus, even if it were obvious to modify Bar with the disclosure of Berggren (which it is not since the two references are directed toward completely different problems within the art), the theoretical result would rely on propagation of a telephone signal through a cellular network for a determination of location (Bar) and rely on a registration notification message to route a call (Berggren), i.e., ONLY disclose or suggest use of propagation of a telephone signal through a cellular network for a determination of location to convey location information

outside of a wireless network. Bar modified by Berggren would **STILL** fail to disclose or suggest detecting a registration notification message at a mobile activity status tracker distinct from a Home Location Register and transmitting at least one of presence and location information relating to a wireless system subscriber from the mobile activity status tracker, as recited by claims 13-15, 18-21 and 24-27.

Accordingly, for at least all the above reasons, claims 5, 6, 13-15, 18-21 and 24-27 are patentable over the prior art of record. It is therefore respectfully requested that the rejection be withdrawn.

**Claims 7, 16, 17, 22, 23 and 28 over Bar in view of Berggren and Gossman**

In the Office Action, claims 7, 16, 17, 22, 23 and 28 were rejected under 35 U.S.C. §103(a) as allegedly being obvious over Bar in view of Berggren, and further in view of Gossman. The Applicants respectfully traverse the rejection.

Claims 7, 16, 17, 22, 23 and 28 are dependent on claims 1, 13, 19 and 25 respectively, and are allowable for at least the same reasons as claims 1, 13, 19 and 25.

Claim 7 recites a system relying on a database relating to individual wireless device subscribers, the database to store **historical** mobile activity data associated with an individual wireless device subscriber.

As discussed above, Bar in view of Berggren fails to disclose or suggest a system relying on a database relating to individual wireless device subscribers, the database to store **historical** mobile activity data associated with an individual wireless device subscriber, as recited by claim 7.

As discussed above, Gossman relies on information stored in a HLR that **lacks** historical activity data to determine a wireless device's presence in a wireless network. Gossman fails to disclose or suggest a system relying on a database relating to individual wireless device subscribers, the database to store **historical** mobile activity data associated with an individual wireless device subscriber, as recited by claim 7.

Thus, Bar modified by the disclosure of Berggren, and further in view of Gossman would still fail to disclose or suggest a system relying on a database relating to individual wireless device subscribers, the database to store historical mobile activity data associated with an individual wireless device subscriber, as recited by claim 7.

Claims 16, 17, 22, 23 and 28 recite detecting a registration notification message at a mobile activity status tracker distinct from a Home Location Register and transmitting at least one of presence and location information relating to a wireless system subscriber from the mobile activity status tracker.

As discussed above, Bar in view of Berggren fails to disclose or suggest detecting a registration notification message at a mobile activity status tracker distinct from a Home Location Register and transmitting at least one of presence and location information relating to a wireless system subscriber from the mobile activity status tracker, as recited by claims 16, 17, 22, 23 and 28.

As discussed above, Gossman, like Berggren, relies on a HLR for a determination of location of a wireless device. Thus, Gossman fails to disclose or suggest detecting a registration notification message at a mobile activity status tracker, much less detecting a registration notification message at a mobile activity status tracker distinct from a Home Location Register and transmitting at least one of presence and location information relating to a wireless system subscriber from the mobile activity status tracker, as recited by claims 16, 17, 22, 23 and 28.

Bar modified by the disclosure of Berggren and Gossman (if it were obvious which it is not since each reference is directed to different problems within the art) would at best result in a system relying on a HLR for a determination of a location of a wireless device. Bar in view of Berggren and Gossman fails to disclose or suggest detecting a registration notification message at a mobile activity status tracker distinct from a Home Location Register and transmitting at least one of presence and location information relating to a wireless system subscriber from the mobile activity status tracker, as

recited by claims 16, 17, 22, 23 and 28.

Accordingly, for at least all the above reasons, claims 7, 16, 17, 22, 23 and 28 are patentable over the prior art of record. It is therefore respectfully requested that the rejection be withdrawn.

**Conclusion**

All objections and rejections having been addressed, it is respectfully submitted that the subject application is in condition for allowance and a Notice to that effect is earnestly solicited.

Respectfully submitted,



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